

---

<b>Subject:</b>	<b>LOCAL PLAN HOUSING POLICIES</b>
<b>Meeting and Date:</b>	<b>Overview And Scrutiny Committee – 9 September 2019</b>
<b>Classification:</b>	<b>UNRESTRICTED</b>

---

**Draft minute:**

Scrutiny (Policy and Performance) Committee meeting on 4 June 2019:

**10 SCRUTINY WORK PROGRAMME**

The Democratic Services Manager presented the Scrutiny Work Programme to the Committee for its consideration. Members identified the following items for inclusion in the work programme:

- Policy for housing (including the development of an executive housing policy)

**Background:**

The Council has a statutory duty to prepare a Local Plan. The Local Plan is a Development Plan Document that sets out the vision and framework for the future development of the Dover District over the next 20 years.

The Government's National Planning Policy Framework (NPPF) provides the high-level context for preparing Local Plans. This is supplemented by the Government's Planning Practice Guidance (PPG) which sets out how to implement the policies in the NPPF. The Council must have full regard to the NPPF and PPG in addition to other national, regional and local plans and strategies when preparing the Local Plan.

The Council is in the early stages of the process of producing a new Local Plan for the District. The Local Plan will replace the existing 'Development Plan' that currently consists of the Adopted Core Strategy (2010), the Land Allocations Local Plan (2015), the saved policies from the 2002 Local Plan and the Worth Neighbourhood Development Plan. The new Local Plan will:

- Set the strategic planning policies of the Council, taking account of key factors like population trends, economic growth, climate change, resources and built and natural environmental character;
- Set the general scale and distribution of new development which is required to meet Dover's needs to 2040;
- Provide the planning principles, including detailed 'development management' policies to guide decisions on planning and other applications;
- Show in detail where new homes, workplaces and facilities will be located through allocations of land; and
- Show key environmental designations and include site specific proposals for the conservation and enhancement of those historic and natural assets.

Once adopted, the policies in the Local Plan, together with those in existing and proposed neighbourhood plans, will be the starting point for the assessment of all planning applications, unless material considerations indicate otherwise.

**Why do we need to prepare a new Local Plan?**

Since the adoption of the Core Strategy in 2010, there have been a number of changes to the planning system, with the abolition of Regional Spatial Strategies (the South East Plan), the publication of the National Planning Policy Framework in 2012, and the recent revisions to the NPPF in 2018 and 2019, meaning that some of the policies in the Council's current Plan are out-of-date (Policies DM1, DM2, CP2, CP3) and therefore cannot be relied upon. The Government has introduced the requirement for Council's to review their Plans every five years, to ensure they remain relevant and responsive to changes in the market especially in relation to housing growth.

The Government wants to see every community covered by an up-to-date plan for sustainable development - meaning that communities are in control of development and are not exposed to speculative development. As made clear in the National Planning Policy Framework, the preparation and implementation of these plans is key to achieving sustainable development.

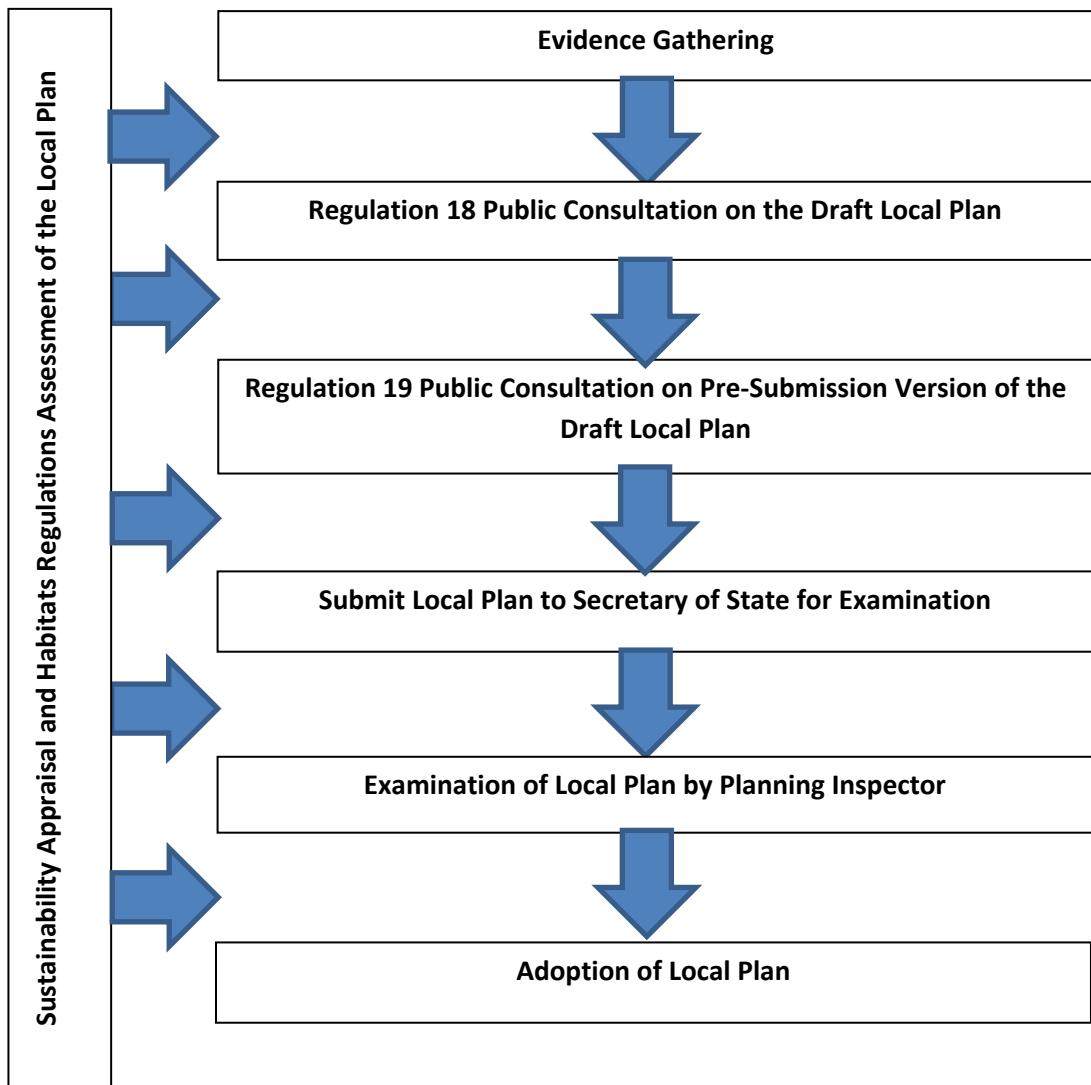
The Planning Inspectorate will publish on a quarterly basis a report that sets out the Local Plans that are expected to be submitted for examination in the following 6-month period. Having an up-to-date Local Plan is the only way that the Government will meet its target of achieving a minimum of 300,000 homes every year in order to tackle the current housing crisis. It is important to understand that the housing 'need' manifests itself in a variety of ways, such as increased levels of overcrowding, acute affordability issues, more young people living with their parents for longer periods, impaired labour mobility resulting in businesses finding it difficult to recruit and retain staff, and increased levels of homelessness.

In addition to this, under the new planning system, a much stronger emphasis is placed on the Duty to Co-operate, in order to agree strategic matters that cross administrative boundaries; housing delivery, with stringent penalties imposed on Council's that fail to deliver development in the form of the need to prepare a Housing Delivery Action Plan; and local plan viability, to ensure that the Plan and sites allocated within it are deliverable.

It is therefore essential that the District continues to have an up-to-date Plan for the area to address these challenges, and to set out how the Council intends to deliver an increase in housing numbers, whilst also delivering jobs, retail and leisure facilities and open spaces, and balancing this need against a range of environmental and natural constraints.

### **What is the Plan Making Process?**

The key stages involved in the preparation of the new Local Plan are set out in the diagram below. At present the Council is in the process of gathering evidence to support the Local Plan and the key findings of this work are set out later in this Paper. Following this, the Council will consult on the draft Local Plan (Reg 18) next year.



All consultation on the various stages of the Local Plan will need to be in line with the Council's Adopted Statement of Community Involvement (SCI) <https://www.dover.gov.uk/Planning/Planning-Policy-and-Regeneration/PDF/Statement-of-Community-Involvement.pdf> and the Local Plan engagement strategy <https://www.dover.gov.uk/Planning/Planning-Policy-and-Regeneration/PDF/Local-Plan-Community-Engagement-Strategy.pdf>. The timetable for the preparation of the Local Plan is set out in the Local Development Scheme <https://www.dover.gov.uk/Planning/Planning-Policy-and-Regeneration/New-District-Local-Plan/Local-Development-Scheme.aspx> and will be updated as the new Local Plan progresses.

**How will the Local Plan support the delivery of housing in the District over the Plan period?**

The Local Plan will need to set out the Council's strategy for delivering new homes in the District over the plan period. The Local Plan will be supported by a number of 'Topic Papers'. Housing will have its own Topic Paper that will be used to draw together the evidence on the subject and will be a key piece of evidence at the Local Plan Examination.

In connection with housing, the Local Plan will need to identify:

- Housing need over the plan period i.e. how many homes need to be delivered in the District over the next 20 years;
- A revised settlement hierarchy to reflect the Council's growth strategy;
- Site allocations for delivering new housing development within the District; and
- Detailed development management policies covering issues such as affordable housing; approach to windfall development; gypsies and travellers; and housing type and mix. These policies (and others) will then form the basis of the determination of planning applications in the District.

The Local Plan should, as a minimum, provide for the objectively assessed needs for housing within the District (NPPF para 11). To determine the minimum number of homes needed in the District over the Plan period, Local Planning Authorities are expected to follow the standard method set out in the Planning Practice Guidance for assessing local housing need. The standard method uses a formula to identify the minimum number of homes expected to be planned for, in a way which addresses projected household growth and historic under-supply.

Applying the Government's standard method, the minimum annual housing need figure for the Dover District currently stands at **629 dwellings per annum (dpa)**, which over a 20 year period, equates to providing a minimum of 12,580 dwellings, and this requirement will be taken forward in the new Local Plan.

To inform the development of the Local Plan the Council has recently commissioned a review of the Strategic Housing Market Assessment that was carried out by Peter Brett Associates in 2017. This is to take account of the revised NPPF's requirements and definitions in relation to housing and will consider whether compelling circumstances exist to justify an alternative approach to the Government's standard method. This work is due to be finalised by the Autumn and once agreed, it will be published on the Council's website.

In addition to establishing housing need, the Local Plan is also required to identify a sufficient amount and variety of land for housing to meet the District's housing need, with the aim of supporting the Government's objective to significantly boost the supply of homes (NPPF para 59).

**This means identifying land to deliver the housing needed for different groups within the community, including affordable housing, families with children, older people, students, people with disabilities, service families, travellers, first time buyers, people who rent their homes and people wishing to commission or build their own homes.**

To this end the Council have commenced work on a Housing and Economic Land Availability Assessment (HELAA) to identify a future supply of land which is suitable, available and achievable for housing and economic uses over the Plan period

<https://www.dover.gov.uk/Planning/Planning-Policy-and-Regeneration/New-District-Local-Plan/Home.aspx>

The HELAA is an important step in the Plan making process and comprises a number of stages:

- Stage 1: Identification of sites through a ‘call for sites’, review of existing land allocations in the Core Strategy and Land Allocations Local Plan, review of planning permissions (including those which are unimplemented, withdrawn and refused), review of previous sites identified in the Strategic Housing and Land Availability Assessment and desk top review of other data sources
- Stage 2: Site assessment to determine whether a site is (a) suitable, (b) available and (c) deliverable.
- Stage 3: Windfall assessment
- Stage 4: Assessment review

The Council has completed stage 1 of this process (in terms of the Call for sites) and is currently assessing the suitability of sites for housing and economic uses (Stage 2(a)). Following this, the availability and deliverability of the sites will be assessed and sites will ultimately be colour coded as follows:

- **Red** – not suitable/available/achievable
- **Amber** – potentially suitable/available/achievable
- **Green** – suitable/available/achievable

Each site has been given a unique reference number which is on a settlement basis (e.g. DEA/SUT/LAN etc). Work on the HELAA is currently ongoing and has not yet reached any initial conclusions.

This exercise will assist the Council in demonstrating a supply of specific deliverable sites sufficient to provide 5 years worth of housing against the housing requirement set out in the Local Plan, as per para 73 of the NPPF and the requirement to allocate land for a minimum of 12,580 dwellings.

In addition to dealing with strategic issues, such as housing need and distribution, the Local Plan is also required to set out more detailed development management policies for housing to guide the determination of planning applications (NPPF para 28). Given this it is proposed that the Local Plan will also set out the Council’s approach to:

- Affordable housing development: The Local Plan will need to set out the Council’s strategy for affordable housing provision in the District. The Council’s strategy will be informed by the review of the SHMA which is underway, and will need to be tested as part of the Local Plan viability study.
- Self and Custom Build Housing: The Local Plan will need to both allocate land for self and custom build development and set out the Council’s policy approach to determining self and custom build applications, to ensure we are according with the terms of the NPPF and the Self Build Regulations.
- Gypsies and Travellers: The Local Plan will need to allocate land for Gypsy and Traveller sites and set out the Council’s policy approach for the determination of applications for

Gypsy and Traveller pitches. The Gypsy and Travellers Accommodation Needs Assessment (GTAA) (<https://www.dover.gov.uk/Planning/Planning-Policy-and-Regeneration/PDF/Final-GTAA-Report-2018-Dec-21-Version.pdf>) has found evidence of Gypsy and Traveller pitch need over the next five years (2017/18 to 2021/22) equating to 18.5 pitches under the ‘cultural definition’, or 12 pitches under the Planning Policy for Traveller Sites (PPTS) 2015 definition of Gypsy/Traveller. The GTAA has identified a ‘cultural need’ for 30 pitches and a PPTS need for 18 pitches (over the period 2014 – 2037). However, taking into account: potential turnover on local authority sites and opportunities for additional capacity, this would result in a residual cultural need for 12 pitches and the PPTS need is addressed. Work is currently underway on preparing a brief for Consultants to assist us with identifying how this need could be met.

- Windfall development: The Local Plan will need to set out the Council’s policy approach to dealing with windfall development i.e. development which comes forward on sites outside those allocated in the Local Plan. As part of the development of this policy it will be necessary to review the Council’s existing policy approach set out in DM1 of the Core Strategy and look at the function and purpose of the existing settlement confines and the approach towards unallocated sites that are adjacent to confines of sustainable settlements.
- Delivering a range and mix of dwelling types and sizes: The Local Plan will set out the Council’s approach to delivering a wide range of house types, tenures and sizes to meet the District’s housing need over the Plan period. This approach will be informed by the review of the SHMA which is underway.
- Residential extensions and annexes: The Local Plan will set out policies for the determination of applications for residential extensions and annexes.
- Rural exception sites: The Local Plan will set out the Council’s approach to supporting opportunities for rural exception sites in the District to provide affordable housing to meet identified local needs.

#### **Executive type homes:**

Officers are aware that in Ashford Borough Council’s Local Plan they have identified the need to:

*‘Provide opportunities for delivering housing which is of an ‘exclusive’ nature, at the top end of the housing market, and will cater for those people wishing to design their own, larger properties. Typically these are individually designed, extremely high quality buildings that exhibit the highest standards in architecture and design.’*

*To meet the requirements of the NPPF that all development should be sustainable, the council has assessed sites on the edges of settlement confines across the borough that would not be suitable for general market housing due to the location or other constraints, but could be appropriate for this type of extremely low density ‘exclusive’ housing. Two sites are identified for this particular type of use and the individual and specific design requirements for each site are indicated in each policy’.*

As the above indicates, all development should be sustainable, well designed and key part of the NPPF is that housing should optimise the use of land. If it was recommended that the Local Plan should include a policy on executive type housing this would need to be balanced against the need to ensure that the Local Plan provides a wide range of housing including affordable housing which was one of the key issues raised at a recent Town/Parish Council event.